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**FACSIMILE COVER SHEET**

Deliver to: Joshua A. Kading, USPTO Art Group: 2661  
Facsimile No.: 703-872-9306 Date: June 30, 2004  
From: William W. Schaal, Reg. No. 39,018  
Our Docket No.: 3239P067 Number of pages 12 including this sheet.  
Application No.: 09/753,218 Filing Date: 12/28/2000  
Docket Due Date(s): 6/30/2004

Enclosed are the following documents:

Amendment: Response ( 8 pgs)

Appeal Brief (in triplicate) (        pgs)

Application: \_\_\_\_\_  
(        pgs) w/cover & abstract)

Assignment & Cover Sheet ( 4 pgs)

Certificate of Facsimile \_\_\_\_\_

Continued Prosecution Application (CPA)

Declaration & POA (        pgs)

Drawings:        sheets,        figures

Extension of Time: \_\_\_\_\_

Fee Transmittal (in duplicate)

IDS & PTO/SB/08 (        pgs)

Other \_\_\_\_\_

Issue Fee Transmittal

Notice of Appeal

Petition for: \_\_\_\_\_

Request for Continued Examination (RCE)

Reply Brief (        pgs)

Request & Certification Under 35 USC 122(b)(2)(B)(i)

Request to Rescind Previous Nonpublication Request

Response to Notice of Missing Parts & Formalities Letter

Response to Written Opinion (        pgs)

Terminal Disclaimer

Transmittal of Publication Fee Due

Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)**

*I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.*

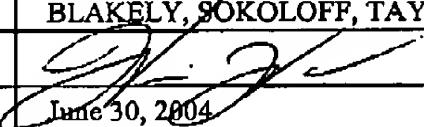
*Sue McFarlane* 06/30/2004  
Sue McFarlane Date

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/753,218
		Filing Date	December 28, 2000
		First Named Inventor	Darwin A. Engwer
		Art Unit	2661
		Examiner Name	Joshua A. Kading
Total Number of Pages in This Submission	11	Attorney Docket Number	3239P067

<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; height: 40px; width: 100%;"></div>	
		Remarks	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	William W. Schaal, Reg. No. 39,018  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	June 30, 2004

<b>CERTIFICATE OF MAILING/TRANSMISSION</b>			
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Typed or printed name	Susan McFarlane		
Signature		Date	June 30, 2004

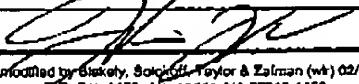
Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>FEET TRANSMITTAL</b> <b>for FY 2004</b>		Complete if Known							
Effective 10/01/2004. Patent fees are subject to annual revision.									
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.									
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(S)</b>		0.00					
<b>METHOD OF PAYMENT</b> (check all that apply)		<b>FEET CALCULATION (continued)</b>							
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		<table border="1"> <tr> <td>Deposit Account Number</td> <td>02-2666</td> </tr> <tr> <td>Deposit Account Name</td> <td>Blakely, Sokoloff, Taylor &amp; Zafman LLP</td> </tr> </table>				Deposit Account Number	02-2666	Deposit Account Name	Blakely, Sokoloff, Taylor & Zafman LLP
Deposit Account Number	02-2666								
Deposit Account Name	Blakely, Sokoloff, Taylor & Zafman LLP								
<p>The Commissioner is authorized to: (check all that apply)</p> <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.									
<b>FEET CALCULATION</b>									
<b>1. BASIC FILING FEE</b>									
<b>Large Entity</b>		<b>Small Entity</b>							
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description					
1001	770	2001	385	Utility filing fee					
1002	340	2002	170	Design filing fee					
1003	530	2003	285	Plant filing fee					
1004	770	2004	385	Reissue filing fee					
1005	160	2005	80	Provisional filing fee					
<b>SUBTOTAL (1)</b>		<b>(S)</b>							
<b>2. EXTRA CLAIM FEES</b>									
<b>Large Entity</b>		<b>Small Entity</b>							
Total Claims	17	Extra Claims	0	Fee from below	Fee Paid				
Independent Claims	4	6*	0	= 18.00	= 50.00				
Multiple Dependent				= 66.00	= 50.00				
<b>SUBTOTAL (2)</b>		<b>(S)</b>		0.00					
*or number previously paid, if greater. For Reissues, see below									
*Reduced by Basic Filing Fee Paid									
<b>3. ADDITIONAL FEES</b>									
Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)				
	1051	130		2051	65	Surcharge - late filing fee or orth			
	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet			
	2053	130		2053	130	Non-English specification			
	1812	2,520		1812	2,520	Filing a request for ex parte reexamination			
	1804	920*		1804	920*	Requesting publication of SIR prior to Examiner action			
	1805	1,840*		1805	1,840*	Requesting publication of SIR after Examiner action			
	1251	110		2251	50	Extension for reply within first month			
	1252	420		2252	210	Extension for reply within second month			
	1253	950		2253	475	Extension for reply within third month			
	1254	1,490		2254	740	Extension for reply within fourth month			
	1255	2,010		2255	1,005	Extension for reply within fifth month			
	1404	350		2401	185	Notice of Appeal			
	1402	330		2402	185	Filing a brief in support of an appeal			
	1403	290		2403	145	Request for oral hearing			
	1451	1,510		2451	1,510	Petition to institute a public use proceeding			
	1452	110		2452	55	Petition to revive - unfavorable			
	1453	1,330		2453	685	Petition to revive - unintentional			
	1501	1,330		2501	685	Utility issue fee (or reissue)			
	1502	450		2802	240	Design issue fee			
	1503	640		2503	320	Plant issue fee			
	1460	130		2460	130	Petitions to the Commissioner			
	1807	50		1807	50	Processing fee under 37 CFR 1.17(q)			
	1806	180		1806	180	Submission of Information Disclosure Stmt			
	8021	40		5021	40	Recording each patent assignment per property (times number of properties)			
	1809	770		1809	385	Filing a submission after final rejection (37 CFR § 1.128(a))			
	1810	770		2810	385	For each additional invention to be examined (37 CFR § 1.128(b))			
	1801	770		2801	385	Request for Continued Examination (RCE)			
	1802	900		1802	900	Request for expedited examination of a design application			
Other fee (specify) _____									
SUBTOTAL (3) (S) _____									

\*or number previously paid, if greater. For Reissues, see below

SUBTOTAL (3) (S) \_\_\_\_\_

Complete (if applicable)

Name (Print/Type)	William W. Schaal	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature				Date	06/30/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w) 02/10/2004.  
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Appl. No. 09/753,218  
Amdt. Dated 06/30/04  
Reply to Office Action of 03/30/2004

JUN 30 2004

OFFICIAL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No.	:	09/753,218	Confirmation No. 9343
Applicant	:	Darwin A. Engwer	
Filed	:	12/28/2000	
TC/A.U.	:	2661	
Examiner	:	Joshua A. Kading	
Docket No.	:	3239P067	
Customer No.	:	8791	

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**AMENDMENT**

Sir:

In response to the Office Action of 03/24/2004, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.